REMARKS/ARGUMENTS

Amendments to the Specification

Two editorial corrections have been made in the specification by replacing the paragraph starting on p. 14, line 24 and replacing the paragraph starting on p. 33, line 12.

These amendments were made in response to an objection raised by the Examiner on page 2 of the Office Action.

Status of Claims

Claims 1-40, 42-44 and 49-71 remain in the application. Claims 41 and 45-48 have been cancelled. New claim 72 has been added to the application.

Amendments to Claims

Claim 1 has been amended to include language that denotes the media data packet contains packet overhead in addition to the media signal and removal of the packet overhead.

Language in claims 1, 14, 15 and 22 has been amended to replace "at least one media data packet" with "media data packets". Similarly "at least one media signal" has been amended to be "media signals" in claims 38, 49, 63 and 67.

Claims 10, 32, 38, 53, 70 and 71 have been amended to clarify phrases that were objected to by the Examiner on pages 2 and 3 of the Office Action. In all six claims a comma was added between terms in a list of steps or actions.

Claim 15 has been amended to recite that "an energy detection and talker selection unit, coupled to the input unit, that operates to:...output addressing control signals to only the sources within the media conference selected as talkers, the addressing control signals comprising instructions for the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference. The reference to "an output unit, coupled to the input unit" that operates to output addressing control signals has been deleted. It is submitted that the amendment does not alter the patentability of the claim. The amendment merely amends the claim to recite outputting of the addressing control signals by the energy

detection and talker selection unit, as described in the description, as opposed to outputting of the addressing control signals from an output unit. The term "only" has been added to emphasize that not all sources are receiving addressing control signals, only those selected as talkers.

Claim 23 has been amended to recite that "a talker selection unit that operates to: ...output addressing control signals to only the sources within the media conference selected as talkers, the addressing control signals comprising instructions for the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference." The reference to "an output unit, coupled to the talker selection unit" that operates to output addressing control signals has been deleted. It is submitted that the amendment does not alter the patentability of the claim. The amendment merely amends the claim to recite outputting of the addressing control signals by the talker selection unit, as described in the description, as opposed to outputting of the addressing control signals from an output unit. The term "only" has been added to emphasize that not all sources are receiving addressing control signals, only those selected as talkers.

Claim 32 has been amended to recite "wherein the conference bridge further comprises a mixing block and an output unit, the mixing block coupled to the talker selection unit and the output unit coupled to the mixing block". The amendment is to clarify the functional units of claim 32 with respect to the functional units included in the claim it depends upon, claim 23, and properly recite the claim with respect to the subject matter as found in the description.

Claim 38 has been amended to include the limitation of claim 41. Claim 41 has been cancelled. Claims 42, 43, and 44 have been amended to change the dependency of the claims from claim 41 to claim 38.

Claim 62 has been amended to recite a method for controlling a media conference in which the method comprises receiving media data packets from the at least two sources, each media packet comprising a media signal and packet overhead. The claim had originally recited receiving "media signals". This amendment is not intended to broaden the claim or include new subject matter. As recited in claim 1, the conference bridge apparatus receives media data packets, the media data packets including the media data signals. Therefore, by logical extension, methods using such a conference bridge will receive media data packets that include media

signals. A further amendment to the claim includes a step of removing packet overhead. This amendment is supported by the description as described on page 15, lines 11-19. This paragraph makes reference to inputting apparatus 30 of Figure 4 being "similiar to that described above [inputting apparatus 30 of Figure 2] with respect to FIGURE 2". The description of Figure 2, specifically the stripping off of packet overhead is found on page 4, lines 3-8

Claim 63 has been amended to add the limitation that "processing the received media signal in order to generate a speech indication signal comprises: determining if the received media signal contains speech; if the received media signal contains speech, including a talking indication within the speech indication signal; and if the received media signal does not contain speech, including a listening indication within the speech indication signal."

Claim 64 has been amended to clarify that selecting a set of the sources of media signals within the media conference as talkers "involves identifying the sources within the media conference containing speech and selecting a set of the sources containing speech as talkers". This amendment has been made in an attempt to clarify that selecting talkers in the media conference includes specifically selecting only a set of sources, which are defined as talkers, from those sources in the media conference which have been identified to at least contain speech. The set of sources selected as talkers does not include all the sources involved in the media conference.

New claim 72 has been added to the application. It recites similar subject matter as that found in claim 32, however claim 72 depends on claim 15. Support for this amendment can be found in Figure 7 and in the description on page 28, line 27 to page 29, line 7.

35 U.S.C 112 Claim Rejections

The Examiner has rejected claims 1-13, 15-21, 23-36 and 69-71 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 1, the Examiner states the limitation "an output unit coupled to the input unit" in line 13 is vague and indefinite since there is not any specific disclosure for this limitation in the specification. The Examiner further states that such connection cannot be found in any of the Figures or drawings. However, Figure 4 does show an inputting apparatus 30 (input

unit) that is coupled to an outputting apparatus 34 (output unit) via a talker selection and mixing block 42.

It is submitted that the limitation is not vague and indefinite as the limitation clearly states the input is coupled to the output. The term "coupled" can define a direct coupling or an indirect coupling of two elements. An indirect coupling does not exclude the possibility of other elements being included within a link occurring between the coupled elements. Therefore, Figure 4 clearly defines the inputting apparatus (input unit) and the outputting apparatus (output unit) being coupled together via an additional block in some embodiments, for example the talker selection and mixing block 42. Claim 1 recites that "a talker selection unit that operates to receive speech indication signals from at least one of the sources within the media conference and to process the speech indication signals including selecting a set of the sources within the media conference as talkers; and an output unit, coupled to the input unit, that operates to output the media signals that correspond to the set of sources within the media conference selected as talkers". The talker selection unit receives speech indication signals from at least one of the sources and selects a set of sources as talkers. It is known that a set may contain only a single element. As described in the specification on page 17, lines 7-11 "If there is only a single talker selected by the talker selection block 44, the mixing block 46 acts simply as a selector of the voice signals corresponding to the sole talker, these voice signals being forwarded to the outputting apparatus 34". A mixing block 46 is not necessarily used in every embodiment and therefore is not an essential element that must be included within claim 1. Therefore, it is submitted that claim 1 is not vague and indefinite as proposed by the Examiner because the input unit is recited to be coupled to the output unit in a manner that is supported by the specification. Dependent claim 10 includes the further limitations that the set of the sources within the media conference selected as talkers comprises a plurality of sources, i.e. more than one source are selected as talkers, and a mixing block 46 is coupled to the input unit and the output unit.

Claim 15 has been amended as described above. It is respectfully submitted that the amendment should overcome the Examiner's 35 U.S.C. 112 rejection. Claims 16-21 and 70 are dependent on claim 15 and as such should now also overcome the 35 U.S.C. 112 rejection.

Claim 23 has been amended as described above. It is respectfully submitted that the amendment should overcome the Examiner's 35 U.S.C. 112 rejection. Claims 24-36 and 71 are dependent on claim 23 or intervening claims dependent on claim 23 and as such should now also overcome the 35 U.S.C. 112 rejection.

35 U.S.C 102 Claim Rejections

The Examiner has rejected claims 1, 2, 4, 6-8, 10-14, 62 and 69 under 35 U.S.C. 102(e) as being anticipated by Strawczynski (U.S. Patent No. 6,522,633).

Strawczynski (U.S. Patent No. 6,522,633) teaches "In accordance with an aspect of the invention, there is provided conferencing apparatus comprising means for receiving signals at a conference bridge from a plurality of input communication paths of which at least two are associated with low bit rate voice signals, means for estimating the signal energy in each of said input communication paths to give a signal energy estimation, means for comparing each of said signal energy estimations against a predetermined threshold, and means responsive to said signal energy estimating and comparing means for forwarding the low bit rate voice signal from one of said input communication paths to a second output communications path, also associated with an incoming low bit rate voice signal, when said signal energy estimation provides a first result.

In accordance with another aspect of the present invention, there is provided a conferencing apparatus comprising means for receiving signals at a conference bridge from a plurality of input communication paths of which at least two are associated with low bit rate voice signals, means for estimating the signal energy in each of said input communication paths to give a signal energy estimation, means for comparing each of said signal energy estimations against a predetermined threshold, and means responsive to said signal energy estimating and comparing means for forwarding the low bit rate voice signal from one of said input communication paths to one or more output communications paths, each associated with an incoming low bit rate voice signal, if the signal energy estimation of only said one of said input communication paths is above said predetermined threshold" (col.2, lines 1-31).

The Examiner suggests that the conference bridge of the Applicant is disclosed by Strawczynski in Figure 6. The Examiner equates the input unit recited by the Applicant to elements 538 and 540 in Figure 6 as disclosed by Strawczynski, the media data packets to signals

on lines 521-523 in Figure 6 as disclosed by Strawczynski, at least two sources as elements 502-504 in Figure 6 as disclosed by Strawczynski, and the media signals as signals on lines 543-545 in Figure 6 as disclosed by Strawczynski. The Examiner further suggests the talker selection unit of the Applicant is taught by Strawczynski as elements 550 and 540 including control line 556, wherein the conference algorithm circuit 550 processes speech indication signals. The Examiner further alleges that "an output unit, coupled to the input unit, that operates to output the media signals that correspond to the set of sources within the media conference selected as talkers" is disclosed in Strawczynski in the form of selector output circuit 552 via elements 540 to 552 as the set of sources 502-504 can be selected as talkers depending on the signal energy of speech signals 543-545, respectively. It is respectfully noted that the Examiner has incorrectly equated the media signals in the present application to signals on lines 543-545. It would be more appropriate to compare signals on lines 543-545 to speech indication signals as these signals represent the output of the power estimation circuit 538 and give an indication of which signals have speech.

Claim 1 has been amended to recite a conference bridge, comprising an input unit that operates to receive media data packets from at least two sources forming a media conference, each media data packet comprising a media signal and packet overhead, wherein the input unit is adapted to remove the packet overhead; a talker selection unit that operates to receive speech indication signals from at least one of the sources within the media conference and to process the speech indication signals including selecting a set of the sources within the media conference as talkers; and an output unit, coupled to the input unit, that operates to output the media signals that correspond to the set of sources within the media conference selected as talkers. The addition of reciting the media data packet is comprised of a media signal as well as packet overhead and that the input unit removes the packet overhead is supported by the description on page 15, lines 15 to 19 and Figure 4 pertaining to Figure 2 and the associated description of Figure 2 found on page 4, lines 3 to 8.

Strawczynski (U.S. Patent No. 6,522,633) does not disclose what is recited in amended claim 1. Therefore, amended claim 1 should overcome the anticipation objection raised by the Examiner.

Based on the amended language of claim 1 and the differences discussed above it is respectfully requested that the Examiner reconsider and withdraw the anticipation objection.

Claims 2, 4, 6-8, 10-14 and 69 are dependent upon amended claim 1 or intervening claims dependent upon claim 1, and as such should be allowable.

Claim 62 has been rejected by the Examiner for the same reasons as claim 1, because the apparatus in claim 1 can be used to practice the method steps of claim 62. Claim 62 has been amended in a similar fashion to claim 1. Claim 62 now recites additional limitations; namely 1) media data packets comprise media signals and packet overhead and 2) an additional step of removing the packet overhead. For the same reasons as described above with respect to claim 1, it is respectfully submitted that amended claim 62 patentably distinguishes over Strawczynski (U.S. Patent No. 6,522,633). As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 102(e) anticipation rejection of claim 62.

The Examiner has rejected claims 64 and 65 under 35 U.S.C. 102(b) as being anticipated by Strawczynski (U.S. Patent No. 4,920,565).

The Examiner has stated that Strawczynski (US Patent No. 4,920,565) discloses a method for controlling a media conference including at least two sources of media signals, the method comprising selecting a set of the sources of media signals within the media conference as talkers; and instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference. The Examiner alleges that Strawczynski's (US Patent No. 4,920,565) disclosure of conference control unit 80 to demultiplex each input into two channels and redistribution and multiplexing of these channel among participants within the media conference as found at column 6, lines 16-25 is equal to selecting a set of the sources of media signals within the media conference as talkers. The Examiner further alleges that according to Figure 2, interconnections between telephones A-D and the connection between switching network 12 and the conference control unit 11 would be considered as that the conference control unit 11 instructing the number of sources A-D within the media conference to output their media signals directly to other sources. The Examiner also points to the description at column 3, lines 41-46 where Strawczynski (US Patent No. 4,920,565) discloses no processing of speech by the conference unit or by the network is needed, hence the

talkers output there media signals directly to other sources within the media conference.

Amended claim 64, the amendment being described above, recites selecting only a set of the sources involved in the media conference as talkers, a set from those identified to contain speech.

As described above the Examiner further alleges that Strawczynski (US Patent No. 4,920,565) discloses instructing the sources to output their media signals directly to other sources within the media conference. Strawczynski (US Patent No. 4,920,565) discloses in the passage from line 60 of column 2 to line 18 of column 3 "In FIG. 1, four parties are connected in a teleconference network. However, any number of parties can be connected in a similar manner. To form the conference, the parties are connected together by means of the switching network 12 under the control of the conference control unit 11. This connection pattern is established by having a first party initiate the conference call feature. In this example, channel 2 of phone A connects to channel 1 of phone B, channel 2 of phone B connects to channel 1 of phone C, and channel 2 of phone C connects to channel 1 of phone D, see FIG. 2. Note that channel 1 of phone A and channel 2 of phone D are not used. As the channels to each phone are interchangeable, the designations channel 1 and channel 2 could be reversed on the phones without affecting the operation of the system. Once this connection pattern has been established, each phone can then initiate a secure call with a connected neighbour using the encryption process of their own choice. Once the secure calls are established on each channel the signal processing circuits of phones B and C will operate to combine the speech from each active channel and the user speech and to distribute it to other channels and the user. The speech or messages from each phone user is thus heard at all other phones in the conference. The voice from phone A, for example, is heard at phone D after passing though phones B and C"(underlining added). As clearly disclosed in the above paragraph "The speech or messages from each phone user is thus heard at all other phones in the conference". Strawczynski does not disclose "instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference".

Therefore, as Strawczynski (US Patent No. 4,920,565) does not disclose what is recited in amended claim 64 of the present application, it is submitted that for at least the reasons stated

above claim 64 is not anticipated by the cited reference. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 102(b) anticipation rejection.

Claim 65 is dependent on amended claim 64. As it is submitted that amended claim 64 is not anticipated by Strawczynski (US Patent No. 4,920,565), it is also submitted that claim 65 is not anticipated by Strawczynski (US Patent No. 4,920,565) and therefore should be allowable.

The Examiner has rejected claims 64-66 under 35 U.S.C. 102(e) as being anticipated by Boyle (U.S. Patent No. 6,606,305).

The Examiner has stated that Boyle discloses a method for controlling a media conference including at least two sources of media signals, the method comprising selecting a set of the sources of media signals within the media conference as talkers; and instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference. The Examiner alleges that Boyle's disclosure of selecting a subscriber group as found at column 5, lines 41-48 is equal to the Applicant's recitation of selecting a set of the sources of media signals within the media conference as talkers. The Examiner further alleges that Boyle's claim 21, in which the language "the conference bridge including instruction to receiver" is used as well as the second embodiment disclosed by Boyle, as described in column 9, lines 27-57 with regard to Figure 3 in which the database 320 is external to the mobile switching center, is equal to the Applicant's recitation of instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference. The Examiner states that the bridge 330 in Figure 3 is used for controlling and connection set up only: therefore the media signals would be outputted directly to other sources within the media conference via the PSTN and Mobile switching center.

Amended claim 64, the amendment being described above, recites selecting only a set of the sources involved in the media conference as talkers, a set from those identified to contain speech. The disclosure that the Examiner has cited in Boyle as selecting a subscriber group is the action of the conference bridge 130 querying the database125 to determine all the directory numbers (sources) to be connected to the conference call based on the calling party directory number, the calling party identified in the example as end user 140 (col. 5, lines 41-48). At this

stage Boyle is disclosing the step involved in establishing the conference call and is connecting all the sources into the call. This is not the same as selecting only a set of sources as talkers from all of the sources involved in the media conference during the media conference

As described above the Examiner further alleges that Boyle discloses instructing the sources to output their media signals directly to other sources within the media conference. The Examiner states that the bridge 330 in Figure 3 is used for controlling and connection set up only: therefore the media signals would be outputted directly to other sources within the media conference via the PSTN and Mobile switching center. Neither of these statements seems to be accurate. In the embodiment of Figure 3, as described in column 10, lines 32-46, once all the sources are connected the call takes place via the conference bridge 330. Boyle discloses all communications occurring between any of the end users 355A and 355B, 350A, 350B and 350C in the calling user's selected subscriber group and the calling user 340 occur via the mobile switching center 310 through the conference bridge 330. There is no suggestion in Boyle for "instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference".

Therefore, Boyle does not disclose what is recited in claim 64 of the present application. For at least the reasons stated above it is submitted that claim 64 is not anticipated by the cited reference. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 102(e) anticipation rejection.

Claims 65 and 66 are dependent on amended claim 64. As it is submitted that amended claim 64 is not anticipated by Boyle, it is also submitted that Boyle does not anticipate claims 65 and 66 and therefore should be allowable.

35 U.S.C 103 Claim Rejections

The Examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Su (U.S. Patent No. 6,463,414) in view of Admitted Prior Art (Figure 2 of the present application and the specification from page 3, line 23 to page 4 line 26).

The Examiner states that Su discloses "a conference bridge comprising an input unit that operates to receive at least one media data packet from at least two sources forming a media conference, each media data packet defining a media signal...an output unit, coupled to the input

unit, that operates to output the media signals that correspond to the set of sources within the media conference selected as talkers" in the form of conference bridge 200 in Figure 2 wherein elements 230 and 234 represent the input unit for receiving media data packets from participants 1 to 3 and elements 232 and 236 represent the output unit for outputting media signals from participants 1 to 3.

The Examiner states that Su fails to disclose "a talker selection unit that operates to receive speech indication signals from at least one of the sources within the media conference and to process the speech indication signals including selecting a set of the sources within the media conference as talkers". However, it is alleged that the Admitted Prior Art of Figure 2 and the specification on page 3, line 23 to page 4, line 26 in the present application does disclose such a talker selection unit and it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify such a talker selection unit of the Admitted Prior Art to the packet-based bridge as taught by Su in order to select talkers in the conference for appropriate connections in a conference system.

It is respectfully submitted that the input and output units disclosed by Su and cited by the Examiner are not significantly different than the Inputting and Outputting Apparatus 30 and 34 of Figure 2 in the present application. As such, Su does not add new or additional subject matter when combined with the Admitted Prior Art. In terms of the Admitted Prior Art, the functional block 32 that the Examiner describes as a "talker selection unit" is actually an "energy detection and talker selection unit". The Examiner cites the specification on page 3, line 23 to page 4, line 26. Continuing on in the specification to line 33 it is stated that "[t]he selection of primary and secondary talkers is performed with an energy detection operation to determine the voice conference participants that are speaking". The energy detection operation is a key component of the energy detection and talker selection unit 32. It is the energy detection portion of the energy detection and talker selection unit 32 that allows the talkers to be determined.

Claim 1 recites "a talker selection unit that operates to receive speech indication signals from at least one of the sources within the media conference and to process the speech indication signals including selecting a set of the sources within the media conference as talkers". The talker selection unit does not include the energy detection portion found in the energy detection and

talker selection unit 32 of the admitted prior art. The talker selection unit as recited in the present application receives speech indication signals from the sources to indicate if the sources have a speech signal present of not, as opposed to the conference bridge determining if the sources have speech signals present or not by performing the energy detection operation as described above with respect to the Admitted Prior Art. Therefore, the combination of Su and the Admitted Prior Art do not disclose or teach, either alone or in combination, what is recited in claim 1 of the present application. For at least the reasons stated above it is submitted that claim 1 is non-obvious with respect to the cited references. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

The Examiner has rejected claims 2-5, 9, 23-36 and 71 under 35 U.S.C. 103(a) as being unpatentable over Su in view of Admitted Prior Art (Figure 2 of the present application and the specification from page 3, line 23 to page 4 line 26) as applied to claim 1 above, and further in view Foster (U.S. Patent No. 6,466,550).

The Examiner states that Su and the Admitted Prior Art disclose all aspects of claim 2 as set for in claim 1. The Examiner further states that Su fails to explicitly disclose "each of the speech indication signals comprises one of a talking indication and a listening indication corresponding to the respective source within the media conference". However, the Examiner alleges that Foster does disclose speech indication signals in the form of the signals labelled as "speaking" and "heard" in Figure 6 of Foster.

It is not totally clear how the Examiner is equating the labelling in Figure 6 to a speech indication signal indicating talking or listening as recited in claim 2. It seems that Foster is describing that A is a speaker that starts speaking at the location indicated with " "A" (The Person" Starts Speaking" and further describing what, or more precisely who, A hears, either A, B, C or D. There does not seem to be any indication that A is being supplied with special speech indication signals from itself, B, C or D other than the speech itself.

More importantly, as described above, Su and the Admitted Prior Art do not disclose all aspects of claim 1. Therefore, the combination of Su, the Admitted Prior Art and Foster do not disclose or teach, either alone or in combination, what is recited in claim 2 of the present application. As such, the Applicant respectfully requests that the Examiner reconsider and

withdraw the 35 U.S.C. 103(a) obviousness rejection.

In similar fashion, since Su and the Admitted Prior Art do not disclose all aspects of claim 1, claims 3-5, 9 and 71 are all non-obvious with respect to the cited references. The combination of Su, the Admitted Prior Art and Foster do not disclose or teach, either alone or in combination, what is recited in claims 3-5, 9 and 71 of the present application. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection to these claims.

With respect to claims 23-36, the Examiner applies the same references and reasoning as applied to claim 1 in that Su discloses "a conference bridge arranged to be coupled to a packet-based network that includes at least two sources of media signals forming a media conference, the conference bridge comprising ...an output unit, coupled to the input unit, that operates to output the addressing control signals to the sources within the media conference selected as talkers" in the form of conference bridge 200 in Figure 2 and the input and output units are represented as elements 215 and 250 respectively in Figure 5.

The Examiner states that Su fails to disclose "a talker selection unit that operates to receive speech indication signals from at least one of the sources within the media conference and to process the speech indication signals including selecting a set of the sources within the media conference as talkers". Again, the Examiner alleges that the Admitted Prior Art of Figure 2 and the specification on page 3, line 23 to page 4, line 26 in the present application does disclose such a talker selection unit. As described above, this is not what the Admitted Prior Art discloses. The Admitted Prior Art must contain the energy detection operation to identify if the sources arriving at the conference bridge do indeed have speech signals.

Claim 23 has also been amended to remove reference to an output unit. The talker selection unit now recites operation to "output addressing control signals to the sources within the media conference selected as talkers, the addressing control signals comprising instructions for the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference". Both Su and the Admitted Prior Art include an output unit as identified by Examiner.

The combination of Su and the Admitted Prior Art do not disclose or teach, either alone or in combination, what is recited in claim 1 of the present application. For at least the reasons stated above it is submitted that claim 23 is non-obvious with respect to Su, the Admitted Prior Art, and Foster. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

Claims 24-36 are dependent on amended claim 23 or intervening claims dependent on claim 23. As amended claim 23 patentably distinguishes over the combination of the cited references, claims 24-36 should be allowable.

The Examiner has rejected claim 15 under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (Figure 2 of the present application and the specification from page 3, line 23 to page 4 line 26) in view of Alvarez, III (U.S. Patent No. 4,507,781).

The Examiner states that the Admitted Prior Art discloses most of the subject matter of the recited claim. The only difference is that the Admitted Prior Art does not disclose an output unit that operates to output addressing control signals to sources within a media conference selected as talkers the addressing control signals comprising instructions for the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference. The Examiner alleges that Alvarez III does disclose such addressing control signals as described in the abstract and at col. 64, line 24 to column 65, line 2.

Alvarez III discloses a method and apparatus for conducting broadcast, multipoint and conference communications in a TDMA network. The Examiner identifies in the abstract the sentence "[t]he disclosed apparatus appends a direct destination address to each point-to-point port communication for transmission over a communications link, to directly address the intended destination port". Alvarez III discloses appending a direct or indirect destination address to "the channel's worth of information" that is sent by the apparatus (column 3, lines 12-27). Alvarez III does not disclose sending addressing signals to sources so that those sources can "output their media signals directly to other sources within the media conference". Alvarez III is sending data to a source located at the direct or indirect destination address. Even in the case of the use of an indirect destination address Alvarez III discloses that the address is appended to the data to direct where the data should ultimately arrive (column 3, lines 27-37).

Amended claim 15, the amendment being described above, recites a conference bridge for selecting a set of talkers from the total number of sources in the media conference, by determining speech parameters of the media signals, and then output addressing control signals to only the sources identified as talkers so that the talkers can send their media signals to the other sources in the conference. It may be possible to consider that Alvarez III discloses the subject matter of claim 15 wherein the talker sends its media signals to other sources. However, Alvarez III does not disclose or even suggest that the direct or indirect destination addresses are solely addresses (not including data) and that the addresses are to be originally sent from a first location (in the present application this first location being the conference bridge) to a second location (in the present application this second location being a source selected as a talker) that then uses the addresses to notify the destination of the addresses of data sent by the second location. Therefore Alvarez III does not disclose "output addressing control signals to only the sources within the media conference selected as talkers, the addressing control signals comprising instructions for the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference".

For at least the reasons described above it is submitted that amended claim 15 patentably distinguishes over the combination of the Admitted Prior Art and Alvarez III. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

The Examiner has rejected claims 15-21 and 70 under 35 U.S.C. 103(a) as being unpatentable over Su in view of Foster.

With respect to claim 15, the Examiner states that Su discloses "a conference bridge comprising an input unit that operates to receive at least one media data packet from at least two sources forming a media conference, each media data packet defining a media signal", wherein the input unit is the combination of blocks 230, 234, and 238-242 and additionally that column 1, lines 11-14 disclose a packet network. The Examiner further states that "an energy detection and talker selection unit, coupled to the input unit, that operates to" is disclosed by Su in the form of the intelligent scheme described at column 4, lines 28-34 and components 302 and 308 in Figure 3. Su is alleged to "determine at least one speech parameter corresponding to each of the media

signals" as disclosed at column 6, lines 1-15. The Examiner further alleges Su discloses "select a set of the sources within the media conference as talkers based on the determined speech parameters" based on parameter extraction and priority assignment as described at column 4, lines 28-41 and column 7, lines 40-53 respectively. The Examiner equates "an output unit, coupled to the input unit, that operates to output addressing control signals to the sources within the media conference selected as talkers" as recited in claim 15 to blocks 515 and 550 in Figure 5 (output unit) as disclosed by Su, and the fact that Su's apparatus has techniques for signal processing, data transmission, signaling, packet-based transmission, network control...[that] may not be described in detail herein" (col. 2, line 64 to col. 3, line 12).

The Examiner states that Su fails to disclose "the addressing control signals comprising instructions for the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference". However, it is alleged that the Foster does disclose such an addressing control signal as described at column 1, line 6 to column 2, line 13 in the form of multicast packet transmission and also at column 6, lines 8-20 via the use of Real-time Transport Protocol as instructions. The Examiner states it would have been obvious to modify such instructions of Foster to voice over a packet-based network as taught by Su.

The Examiner states Su implies teaching direct communication in a conference involving three or more participants with person to person transcoding (col. 5, lines 32-38). It is respectfully submitted that Su's description at the cited location is directed to person-to-person direct communication between only two people having a conversation as opposed to person-to-person direct communication when three or more participants are involved in the conference. Su states "[t]hus, various aspects of the present invention are not limited to use in a conference involving three or more participants; the present invention may also be employed in connection with person-to-person transcoding and other contexts". Therefore, it is the Applicant's position that Su does not imply direct communication in a conference involving three or more participants with person-to-person transcoding.

Su does not explicitly disclose or suggest selecting only a set of talkers from a group of sources in the conference. Su does disclose performing parameter extraction of the signal. Su

also discloses assigning a priority level (col. 7, line 40 to col. 8, line 3) to a source in the media conference as well as partial muting of the signal (col. 9, lines 10-14). However, neither of these aspects are directed to selecting a set of talkers from the set of sources so that only talkers are output addressing control signals as recited in amended claim 15. As disclosed in Su, all sources are mixed together to form outputs to be sent the other sources. A priority signal may have heavier weighting based on importance, however there is no indication in Su that less important signals are excluded from a mixing process. The same can be said for a partially muted signal. Partially muted is not totally muted or excluded from mixing. Since all signals are used in the mixing process, all signals are essentially designated as talkers. This would mean if Su did send addressing control signals to sources selected as talkers to output their media signals directly to other sources within the media conference, each source would receive addressing control signals to send media signals to all the other sources. This would not make Su more efficient as claimed by the Examiner. When only a set of sources are selected as talkers as recited in claim 15 then only the set of the sources are sent addressing control signals and these set of sources send out their media signals to the other sources. Therefore a benefit of efficiency is gained in this case, but not in the case of Su.

The use of Real-time Transport Protocol by Foster is somewhat analogous to the use of direct and indirect addressing as described above in Alvarez III, in that Real-time Transport Protocol uses a header in a packet, but data is still being send in the packet. Therefore, this is not an addressing control signal in the manner that is recited in claim 15. Foster is disclosing a method of addressing in which the data and the address travel together. There is no disclosure or teaching in Foster that only address information is sent to a source so that the source can send its own data (media signals) to other sources.

As Su and Foster do not disclose or suggest all the subject matter of claim 15 as well as the fact that the suggested motivation of the combination of the two references would not be met based on the above argument, it is respectfully suggested that a case of prima facie obviousness has not been established by the Examiner. Therefore, it is submitted that claim 15 patentably distinguishes over the combination of the prior art. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

Claims 16-21 are dependent on amended claim 15. As amended claim 15 patentably distinguishes over the combination of the cited references, claims 16-21 should be allowable.

Claim 70 is a claim for a network incorporating a conference bridge according to claim 15. For the same reasons stated above that the combination of Su and Foster are shown not to establish a prima facie case of obviousness and therefore claim 15 should be allowable, it is respectfully submitted that claim 70 should also be allowable.

The Examiner has rejected claims 38 and 63 under 35 U.S.C. 103(a) as being unpatentable over the Admitted Prior Art (Figure 5 of the present application and the specification from page 20, line 25 to page 21, line 2) in view of Strawczynski (U.S. Patent No. 4,920,565).

Regarding claim 38, the Examiner states that the Admitted Prior Art discloses "a packet-based apparatus arranged to be coupled to a conference bridge via a packet-based network, the packet-based apparatus comprising: an output unit that operates to receive at least one media signal from at least one participant within a media conference and output the received media signal to the conference bridge via the packet-based network" in the form of blocks 60, 62 and 64 as described on page 20, line 25 to page 21, line 2 being well known in the art.

The Examiner states that the Admitted Prior Art does not disclose "a speech detection unit, coupled to the output unit, that operates to process the received media signal, generate a speech indication signal based upon the received media signal, and output the speech indication signal to the conference bridge". However, the Examiner alleges that Strawczynski (U.S. Patent No. 4,920,565) does disclose such a speech detection unit in the form of Speech Detector, Code Translation and Automatic Gain Control Circuit 44 and blocks 43, 60 and 61 creating a speech indication signal 62 that is outputted to the conference bridge via a network. The Examiner states it would have been obvious for one skilled in the art at the time the invention was made to modify the packet-based apparatus of the Applicant by utilizing the speech detector of Strawczynski, the motivation being to enhance efficiency.

The Applicant wishes to clarify that Figure 5 is not prior art. Figure 5 describes an embodiment of a packet-based apparatus arranged to be coupled to a conference bridge via a packet-based network. The Applicant states that "both of the above described operations

[referring to page 19, line 21 to page 20, line 24] within the packet-based terminal of Figure 5 are performed within well known packet-based terminals" however, the addition of the speech detector 66, which is used to generate speech indication signals, is believed to be inventive and is not found in the prior art.

With reference to blocks 43, 60 and 61 of Figure 4 disclosed in Strawczynski (U.S. Patent No. 4,920,565), it is submitted that Strawczynski (U.S. Patent No. 4,920,565) is providing an apparatus to combine or mix voice signals from the user interface 46 and logical channel 1. Column 5, lines 6-9 clearly states "[s]imilarly adder 43 will add a detected speech signal from microphone 56 with an incoming speech signal received from input 49 of logical channel 1".

Claim 38, amended as described above recites a speech detection unit that generates a speech indication signal based on the received media signal and outputs the speech indication signal to the conference bridge, wherein to generate a speech indication signal based upon the received media signal, the speech detection unit operates to: determine if the received media signal contains speech; if the received media signal contains speech, include a talking indication within the speech indication signal; and if the received media signal does not contain speech, include a listening indication within the speech indication signal. As found in the specification on page 21, lines 6-8, the Applicant describes a speech detector 66 which determines if a source is speaking or listening by comparison to a predetermined energy threshold and sending a speech indication signal indicating that a speaking or listening participant is at a particular terminal. The speech indication signal is not described as being the received media signal, but as being based on the received media signal. Speech indication signals are described as providing indications of if the participants are talking and listening and are referred to as talking and listening signals. The talking and listening signals are assigned when it has been determined if the media signal contains speech. This is different than what Strawczynski (U.S. Patent No. 4,920,565) discloses.

As the Admitted Prior Art and Strawczynski (U.S. Patent No. 4,920,565) do not disclose or suggest all the subject matter of claim 38, it is respectfully suggested that a case of prima facie obviousness has not been established by the Examiner. Therefore, it is submitted that amended claim 38 patentably distinguishes over the combination of the prior art. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a)

obviousness rejection.

Claim 63 is a claim for a method for a packet-based apparatus to operate within a media conference controlled by a conference. The Examiner states that the claim is rejected for the same reasons as claim 38 as the apparatus of claim 38 can be used to practice the method steps of claim 63. Claim 63 has been amended to recite similar subject matter to amended claim 38. For the same reasons stated above that the combination of the Admitted Prior Art and Strawczynski (U.S. Patent No. 4,920,565) are shown not to establish a prima facie case of obviousness and therefore claim 38 should be allowable, it is respectfully submitted that claim 63 should also be allowable.

The Examiner has rejected claims 22, 37-40, 63 and 64 under 35 U.S.C. 103(a) as being unpatentable over Strawczynski (U.S. Patent No. 4,920,565) in view of DuVal (U.S. Patent No. 5,818,836).

Regarding claim 22, the Examiner states that Strawczynski (U.S. Patent No. 4,920,565) discloses "a conference bridge comprising: means for receiving at least one media data packet from at least two sources forming a media conference, each media data packet defining a media signal", wherein the means is identified as the MUX/DEMUX in the conference control unit 80 of Figure 6. The Examiner further states the "means for selecting a set of the sources within the media conference as talkers" is disclosed by the conference control unit 80 of Figure 6. The Examiner states that "means for instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference" is disclosed within Figures 1 and 2 and described at column 3, lines 41-46.

The Examiner states that the Strawczynski (U.S. Patent No. 4,920,565) does not disclose that the network is a packet-based network, but does teach that a "[t]he method can still be applied to an analog or mixed analog/digital switching/transmission network if suitable low bit rate speech coding and voice modems are employed to provide digital signals for used by secure telephone sets". In addition, the Examiner alleges that DuVal discloses such a packet-based network.

Claim 22 recites means for selecting a set of the sources involved in the media conference as talkers.

As described above the Examiner alleges that Strawczynski (US Patent No. 4,920,565) discloses "means for instructing the sources within the media conference selected as talkers to output their media signals directly to other sources within the media conference". Strawczynski (US Patent No. 4,920,565) discloses having a channel from an initiating call telephone connect to a first line of a first participant in the conference call, a second line of the first participant connecting to a first line of a second participant in the conference call and so on, as described in column 2, line 65 to column 3, line 18. In the embodiments of Figures 1 and 2 all telephones receive the signals from all the sources in the conference call. As stated at column 3, line 14-16 "[t]he speech or messages from each phone user is thus heard at all other phones in the conference". Even in the embodiment described with respect to Figure 6, all telephones receive the signals from all the telephone in the conference call. Therefore, Strawczynski (US Patent No. 4,920,565) does not disclose what is recited in claim 22.

As Strawczynski (U.S. Patent No. 4,920,565) and DuVal do not disclose or suggest all the subject matter of claim 22, it is respectfully suggested that the Examiner has not established a case of prima facie obviousness. Therefore, it is submitted that claim 22 patentably distinguishes over the combination of the prior art. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

Regarding claim 37, the Examiner arguments are similar to those used in rejecting claim 22. However, in claim 37 the conference bridge recites means for receiving speech indication signals from at least one of the sources within the media conference, not media data packets as recited in claim 22. As described above with regard to the rejection of claim 38 based on the Admitted Prior Art and Strawczynski (U.S. Patent No. 4,920,565), speech indication signals are not media data packets or voice signals, the speech indication signals are an indication of speech based on the media data packets or voice signals, i.e. a talking indication and a listening indication, energy levels, pitch levels, etc. Claim 37 also recites "means for processing the speech indication signals including selecting a set of the sources within the media conference as talkers". As a result Strawczynski (U.S. Patent No. 4,920,565) does not disclose what is recited in claim 37 as alleged by the Examiner.

As Strawczynski (U.S. Patent No. 4,920,565) and DuVal do not disclose or suggest all the subject matter of claim 37, either alone or in combination, it is respectfully suggested that a the Examiner has not established a case of prima facie obviousness. Therefore, it is submitted that claim 37 patentably distinguishes over the combination of the prior art. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

With regard to claim 38, the Examiner states that Strawczynski (U.S. Patent No. 4,920,565) discloses a "a packet-based apparatus arranged to be coupled to a conference bridge via a packet-based network, the packet-based apparatus comprising: an output unit that operates to receive at least one media signal from at least one participant within a media conference and output the received media signal to the conference bridge via the packet-based network" in the form of a combination of 44, 41, 57, 58 and 59 acting as an output unit, 45, 49 and 52 are received media signals, 56 and 49 are at least one participant, 59 and 62 are media signals being output to the conference bridge, wherein the conference bridge is shown in Figure 1 and the network disclosed as communications network 10.

In a similar fashion to the rejection of claim 22, the Examiner states that the Strawczynski (U.S. Patent No. 4,920,565) does not disclose that the network is a packet-based network, but that DuVal discloses such a packet-based network. Therefore it would have been obvious to combine the packet-based network of DuVal to the network taught by Strawczynski (U.S. Patent No. 4,920,565).

As described above with regard to the obviousness rejection of claim 38 based on the Admitted Prior Art and Strawczynski (U.S. Patent No. 4,920,565), speech indication signals are not media data packets or voice signals, the speech indication signals are an indication of speech based on the media data packets or voice signals, i.e. a talking indication and a listening indication. As a result Strawczynski (U.S. Patent No. 4,920,565) does not disclose what is recited in amended claim 38 as alleged by the Examiner.

As Strawczynski (U.S. Patent No. 4,920,565) and DuVal do not disclose or suggest all the subject matter of amended claim 38, either alone or in combination, it is respectfully suggested that a case of prima facie obviousness has not been established by the Examiner.

Therefore, it is submitted that amended claim 38 patentably distinguishes over the combination of the prior art. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

Claims 39 and 40 are dependent upon amended claim 38. As claim 38 patentably distinguishes over the combination of the cited references, claims 39 and 40 should be allowable.

Claim 63 is a claim for a method for a packet-based apparatus to operate within a media conference controlled by a conference. The Examiner states that the claim is rejected for the same reasons as claim 38 as the apparatus of claim 38 can be used to practice the method steps of claim 63. Claim 63 has been amended to recite similar subject matter to amended claim 38. For the same reasons stated above that the combination of Strawczynski (U.S. Patent No. 4,920,565) and DuVal are shown not to establish a prima facie case of obviousness and therefore amended claim 38 should be allowable, it is respectfully submitted that amended claim 63 should also be allowable.

Claim 64 is a claim for method for controlling a media conference. The Examiner states that the claim is rejected for the same reasons as claim 22 as the apparatus of claim 22 can be used to practice the method steps of claim 64. For the same reasons stated above that the combination of Strawczynski (U.S. Patent No. 4,920,565) and DuVal are shown not to establish a prima facie case of obviousness and therefore claim 22 should be allowable, it is respectfully submitted that claim 64 should also be allowable.

The Examiner has rejected claims 38-41, 49-54, 63, 67 and 68 under 35 U.S.C. 103(a) as being unpatentable over Dunn (U.S. Patent No. 5,991,385) in view of DuVal.

Regarding claim 38, the Examiner states that Dunn discloses "a packet-based apparatus arranged to be coupled to a conference bridge via a packet-based network, the packet-based apparatus comprising: an output unit that operates to receive at least one media signal from at least one participant within a media conference and output the received media signal to the conference bridge via the packet-based network" wherein a combination of DAA CKTS 33, Transceiver 34 and DSP 36 represent the output unit and blocks 10 and 12 in Figure 5 represent the network. The Examiner further alleges that "a speech detection unit, coupled to the output unit, that operates to process the received media signal, generate a speech indication signal based

upon the received media signal, and output the speech indication signal to the conference bridge" is disclosed in Dunn wherein the DSP 36 represents the speech detection unit and the output unit is represented above as the combination of DAA CKTS 33, Transceiver 34 and DSP 36. The Examiner identifies the operation of the DSP 36 is disclosed at column 5, lines 20-30.

Claim 38, having been amended as described above, includes the limitation of cancelled claim 41. Claim 41 has been rejected as the Examiner states that Dunn and DuVal disclose all the aspects of claim 38 and as it is alleged that Dunn further discloses the subject matter of claim 41. In particular, the speech detection unit, represented by DSP unit 36 in Figure 3, operates to determine if the received media signal contains speech as disclosed at column 5, lines 51-56, which described the operation of the DSP 36. Dunn discloses "measuring individual inputs", the inputs being identified as microphones of a speakerphone at column 5, lines 43-50 and "creating a multiplier value". Dunn states creating this multiplier value "would typically be a measurement of volume and power density, or possible several at different frequencies, or in a very powerful DSP, it could also be a frequency spectrum such as performed by a Fourier Analysis". It is submitted that simply "measuring individual inputs to create a multiplier value" is not the same as determining if the received media signal contains speech. Determining if the media signal contains speech implies that a determination or analysis is being made, the determination being more than just a measurement. In the description on page 21, lines 2-18, it is stated that the speech detector 66 determines if the participant at a microphone is speaking or not by measuring the energy level of the voice and comparing the energy to a threshold for defining a speaker and a listener.

The Examiner equates "if the received media signal contains speech, include a talking indication within the speech indication signal" with the recreation of the audio and output array as described at column 5, lines 20-30. In the paragraph identified by the Examiner, Dunn discloses processing a port identity and audio signals received from codec 28. The port identity is supplied by the conference bridge and identifies the active circuit at that time. The DSP 36 maps the required number of active ports into a spatial field to create a virtual conference table image.

The Examiner equates "if the received media signal does not contain speech, include a listening indication within the speech indication signal" with the description found at column 6,

lines 18-43 in which it is disclosed that DSP processing power in the speakerphone of each party creates a sound field effect for each party, and the ID signal is sent by the speakerphone is sufficient to generate a virtual table location of each participant wherein the "outgoing image" enables each speaker to be identified. The Examiner states that this "outgoing image" of a virtual table location of each participant is equivalent to a listening signal. The generation of a virtual table location of each participant within a group located around a non-local speakerphone (source) is to provide listeners at a receiving speakerphone the opportunity to associate a participant voice from the non-local speakerphone with a particular direction around the receiving speakerphone. The "output image" sent by each respective speakerphone contains information that essentially provides volume and directionality information pertaining to speech detected at a particular speakerphone to be conveyed to other speakerphones in the conference. It is submitted that this is not the same as including a listening indication within the speech indication signal if the received media signal does not contain speech.

It is submitted that for the reasons stated above at least the elements of determining if the signal contains speech and if the signal is determined not to contain speech, including a listening indication within the speech indication signal are not suggested or disclosed by the Dunn. Therefore, as the combination of Dunn and DuVal do not suggest or disclose all the elements of amended claim 38 (including the limitation of former claim 41), alone or in combination, a prima facie case of obviousness has not been established by the Examiner with regard to amended claim 38, and it is submitted that amended claim 38 patentably distinguishes over the cited references. It is respectfully requested that the Examiner reconsider and withdraw the rejection.

Claims 39 and 40 are dependent upon amended claim 38. As it is believed that amended claim 38 patentably distinguishes over the combination of the cited references, claims 39 and 40 should be allowable.

Claim 41 has been cancelled.

Regarding claim 49, the Examiner states that Dunn disclosed an apparatus arranged to be coupled to a conference bridge via a packet-based network, in the form of Figure 5. The Examiner alleges the apparatus comprises "an addressing control unit that operates to receive at least one addressing control signal from the conference bridge" wherein DAA CKTS 33 in

Figure 3 is considered to be an addressing control unit and signaling path 18 shown in Figure 2 is used to connect a control signal from the conference bridge 14 to Party D. In column 5, lines 13-20, the Examiner identifies that conference signals may including both audio and port identity signals and therefore, the Examiner equates the port identity signals to the addressing control signals.

The Examiner further states Dunn discloses "an output unit that operates to receive at least one media signal from at least one participant within a media conference and output the received media signal, via the network, to at least one other participant within the media conference based upon the addressing control signal" wherein a combination of DAA CKTS 33, Transceiver 34 and DSP 36 represent the output unit and blocks 10 and 12 in Figure 5 represent the network.

The Examiner states that Dunn fails to disclose that the network is a packet-based network. However, DuVal does disclose such a packet-based network in the form of block 16 in Figure 1.

Dunn does transmit a signal either inband or out of band on signaling path 18 in Figure 2. This signal is a port identification signal which identifies the circuit (source) which is active at each point in time of the teleconference (col. 4, lines 53-64). Dunn does not disclose or even suggest that the signal on signaling path 18 is used by the speakerphone 16' (output unit) as an address to which the speakerphone 16' (output unit) is to send the media signals that the speakerphone 16' (output unit) receives. Dunn also does discloses that "[i]f the phones are connected to a digital line, and all the phones are enhanced speaker phones, then the encoded samples of the near end signals can be sent directly from phone to phone". Therefore, Dunn does teach that signals can be sent directly from phone to phone, but there remains no disclosure or suggestion of using addressing signals sent by the conference bridge to the speakerphone 16' (output unit) and the speakerphone 16' (output unit) using such addressing signals to "output the received media signal, via the packet-based network, to at least one other participant within the media conference based upon the addressing control signal" as recited in claim 49.

Therefore, as Dunn does not fully disclose or suggest all the subject matter of claim 49, a prima facie case of obviousness has not been satisfied and the combination of Dunn and DuVal

do not disclose or teach, either alone or in combination, what is recited in claim 49 of the present application. For at least the reasons stated above it is submitted that claim 49 is non-obvious with respect to the cited references. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

Claims 50 to 54 depend on claim 49. For the same reasons stated above that the combination of Dunn and DuVal are shown not to establish a prima facie case of obviousness and claim 49 should be allowable, it is respectfully submitted that claims 50 to 54 should also be allowable.

The Examiner states that the claim is rejected for the same reasons as claim 38 as the apparatus of claim 38 can be used to practice the method steps of claim 63. Claim 63 has been amended to recite similar subject matter to amended claim 38. For the same reasons stated above that the combination of Dunn and DuVal are shown not to establish a prima facie case of obviousness and therefore amended claim 38 should be allowable, it is respectfully submitted that claim 63 should also be allowable.

Claim 67 is a claim for a method for a packet-based apparatus to operate within a media conference controlled by a conference bridge which recites steps based on the subject matter of the apparatus of claim 49. For the same reasons stated above that the combination of Dunn and DuVal are shown not to establish a prima facie case of obviousness and claim 49 should be allowable, it is respectfully submitted that claim 67 should also be allowable.

Claim 68 depends on claim 67. For the same reasons stated above pertaining to claim 67, it is respectfully submitted that claim 68 should also be allowable.

The Examiner has rejected claims 42, 43, 45-48, 55, 56 and 58-61 under 35 U.S.C. 103(a) as being unpatentable over Dunn in view of DuVal as applied to claims 38-41 above and further in view of Julstrom (U.S. Patent No. 4,685,425).

Regarding claims 42 and 43, the Examiner states that Dunn and DuVal disclose all aspects of claims 42 and 43 as set forth in claims 38 and 41. The Examiner states that Dunn and DuVal fail to disclose the speech detection unit operates to "determine an energy level for the received media signal and compare the determined energy level with a speech indication energy threshold" in claim 42 and "determine a pitch value for the received media signal and compare

the determined pitch value with a speech indication pitch threshold" in claim 43. However, the Examiner states that Julstrom does disclose such a detection unit and it would be obvious for one skilled in the art to modify such a speech detection unit of Julstrom to the DSP unit as taught by Dunn, the motivation to make Dunn more efficient.

Claims 42 and 43 are dependent upon amended claim 38. For the reasons described above claim 38 is shown to patentably distinguish over the references of Dunn and DuVal. Therefore, as the combination of Dunn and DuVal do not suggest of disclose all the elements of amended claim 38, the combination of Dunn, DuVal and Julstrom do not, alone or in combination, disclose all the elements of claims 42 and 43. As such, the Examiner has not established a prima facie case of obviousness and it is submitted that claims 42 and 43 patentably distinguish over the cited references. It is respectfully requested that the Examiner reconsider and withdraw the rejection.

Claims 45 to 48 have been cancelled. Therefore the Examiner's rejection of these claims no longer applies.

Claims 55, 56 and 58-61 depend on claim 49. For the reasons stated above that the combination of Dunn and DuVal are shown not to establish a prima facie case of obviousness, it is submitted that the further combination of Dunn, DuVal and Julstrom do not disclose or teach, either alone or in combination, that which is recited in claims 55, 56 and 58-61 of the present application. Therefore, it is submitted that claims 55, 56 and 58-61 are non-obvious with respect to the cited references. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

The Examiner has rejected claims 44 and 57 under 35 U.S.C. 103(a) as being unpatentable over Dunn in view of DuVal as applied to claims 38-41 above and further in view of Su.

Regarding claim 44, the Examiner states that Dunn and DuVal disclose all aspects of claim 44 as set forth in claims 38 and 41. The Examiner states that Dunn and DuVal fail to disclose the "output unit further operates to compress the received media signal prior to outputting the media signal to the conference bridge; and wherein to determine if the received media signal contains speech, the speech detection unit operates to determine if the number of

bytes of the compressed media signal indicates that the received media signal contains speech". However, the Examiner states that Su does disclose such a compressed media signal and it would be obvious for one skilled in the art to modify such a compresses media signal of Su to the voice-over a packet switching network as taught by DuVal, the motivation to make DuVal compatible in different protocol networks.

Claim 44 is dependent upon amended claim 38. For the reasons described above claim 38 is shown to patentably distinguish over the references of Dunn and DuVal. Therefore, as the combination of Dunn and DuVal do not suggest of disclose all the elements of amended claim 38, the combination of Dunn, DuVal and Su do not, alone or in combination, disclose all the elements of claim 44. As such, a prima facie case of obviousness has not been established by the Examiner and it is submitted that claim 44 patentably distinguishes over the cited references. It is respectfully requested that the Examiner reconsider and withdraw the rejection.

Claim 57 depends on intervening claims dependent on independent claim 49. For the reasons stated above that the combination of Dunn and DuVal are shown not to establish a prima facie case of obviousness it is submitted that the further combination of Dunn, DuVal and Su do not disclose or teach, either alone or in combination, that which is recited in claim 57. Therefore, it is submitted that claim 57 is non-obvious with respect to the cited references. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. 103(a) obviousness rejection.

In view of the forgoing, early favorable consideration of this application is earnestly solicited.

Respectfully submitted,

Frederic Simard, et al

By _____
James McGraw
Reg. No. 28168

Date: July 16, 2004
JMC:MSS:plm